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BOSE MCKINNEY & EVANS

2700 First Indiana Plaza
135 N. Pennsylvania St.
Indianapolis, Indiana 46204
(317) 684-5000PATENT APPLICATIONIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney
Docket: 8266-0738

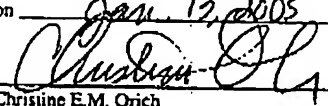
Applicants: Borders et al.

Invention: COMMUNICATION AND DATA
ENTRY DEVICE

Serial No.: 10/039,342

Filing Date: November 19, 2004

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on Jan 13, 2005

Christine E.M. Orich
Dated: 1/13/05

REQUEST FOR REFUND

Mail Stop 16
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

On April 21, 2004, Examiner Nina Tong issued a Final Office Action to Applicants. In response to Examiner Tong's Final Office Action, Applicants mailed a Notice of Appeal on October 15, 2004, including a check in the amount of \$340.00 to cover the filing fee associated with the Notice of Appeal. A copy of the Notice of Appeal, return postcard, and the check are enclosed for ease of reference.

Pursuant to Applicants' conversation with Examiner Benjamin Lee on December 20, 2004, Applicants discovered that the Final Office Action issued by Examiner Tong was done in error. Subsequently, Examiner Lee issued a new non-final Office Action on December 22, 2004.

In light of this error on the part of the United States Patent and Trademark Office, a refund is respectfully requested. Please credit \$340.00 to our Deposit Account No. 02-3223 and send the notice of refund to me at the address above.

Thank you for your help in this matter.

Respectfully submitted,

BOSE MCKINNEY & EVANS

Christine E.M. Orich
Registration No. 44,987

CMO/sec
Enclosure
Indianapolis, Indiana
(317) 684-5414
589575_1

Mailed: October 15, 2004
Applicants: Borders et al.
Serial No.: 10/039,342
Filed: November 29, 2001
Title: COMMUNICATION AND DATA ENTRY DEVICE
Attorney Docket: 8266-0738
☒ Notice of Appeal (in duplicate)
☒ Check in the amount of \$340.00

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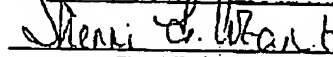
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BOSE MCKINNEY & EVANS LLP**Customer No. 25267**2700 First Indiana Plaza
135 North Pennsylvania Street
Indianapolis, Indiana 46204
(317) 684-5000**PATENT APPLICATION*****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Group: 2632 }
Atty. Docket: 8266-0738 }
Applicants: Borders et al. }
Invention: COMMUNICATION }
AND DATA ENTRY }
DEVICE }
Serial No.: 10/039,342 }
Filed: November 29, 2001 }
Examiner: Tong, N. }

Certificate Under 37 C.F.R. § 1.8(a)

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on October 15, 2004
Sherri E. CozartDated: October 15, 2004**NOTICE OF APPEAL****MAIL STOP AF**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

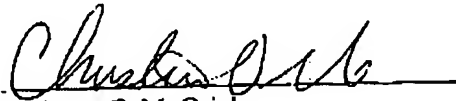
Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Final Office Action mailed April 21, 2004, which finally rejected claims 1 - 11, and 18 - 41 of the above-identified patent application.

A check in the amount of \$340.00 is submitted herewith to cover the fee for this Notice of Appeal. Since the Examiner has not issued an Advisory Action; therefore pursuant to MPEP 706.07(8) no fees for extension of time are due. Applicants respectfully request that any shortages in fees be charged, or any over payments in fees be credited to the account of Bose McKinney & Evans. Deposit Account No. 02-3223.

A duplicate copy of this paper is being submitted to facilitate any deposit account charges or credits that may be necessary.

Respectfully submitted,

BOSE MCKINNEY & EVANS LLP



Christine E. M. Orich
Attorney for Applicants
Registration No. 44,987

2700 First Indiana Plaza
135 North Pennsylvania Street
Indianapolis, Indiana 46204
Phone: (317) 684-5000

572471_1

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TO 783#8266#738#157 P.01

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**BOSE
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& EVANS LLP**

ATTORNEYS AT LAW

2005 SEP 27 PM 4:33

US PATENT & TRADEMARK
OFFICE

Kelly A. Blaylock

Paralegal
2700 First Indiana Plaza
135 North Pennsylvania Street
Indianapolis, IN 46204
Direct Dial: (317) 684-5247
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MAIL STOP 16

Mailed: 13 January 2005
Applicant: BORDERS, et al.
Serial No.: 10/039,342
Title: COMMUNICATION AND DATA ENTRY DEVICE
Filed: November 19, 2004
Atty. No.: 8266-0738

X Request for Refund:
X Photocopy of: Notice of Appeal Filed October 18, 2004
Postcard w/ USPTO Date Stamped Received 10/10/04
Check No. 190589 in the amount of \$340.00.

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group: 2632 }
Atty. Docket: 8266-0738 }
Applicants: Borders et al. }
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Certificate Under 37 C.F.R. § 1.8(a)

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on October 15, 2004
Sherri E. Cozart
Sherri E. Cozart

Dated: October 15, 2004

NOTICE OF APPEAL

MAIL STOP AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

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10/19/2004 HAL111 00000055 10039342
01 FC:1401 340.00 OP

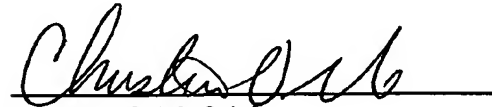
Adjustment date: 11/17/2005 SDIRETA1
10/19/2004 HAL111 00000055 10039342
01 FC:1401 -340.00 OP

Repln. Ref: 11/17/2005 SDIRETA1 0014521600
DAH: 023223 Name/Number: 10039342
FC: 9204 \$340.00 CR

A duplicate copy of this paper is being submitted to facilitate any deposit account charges or credits that may be necessary.

Respectfully submitted,

BOSE McKINNEY & EVANS LLP

A handwritten signature in cursive script, appearing to read "Christine E. M. Orich", is written over a horizontal line.

Christine E. M. Orich
Attorney for Applicants
Registration No. 44,987

2700 First Indiana Plaza
135 North Pennsylvania Street
Indianapolis, Indiana 46204
Phone: (317) 684-5000

572471_1

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